

LEGAL HOLIDAYS (EXCERPT)
Act 124 of 1865

435.101 Public holidays as to bills, checks, notes, and holding of courts; validity of bank transactions performed on Saturday; holding court or transacting business on Saturday; continuation of action, matter, or proceeding; adjournment of circuit court to secular day; validity of legal process, holding courts, or transaction of business on Saturday afternoons; closing of county or municipal offices on Saturday; state employees working on Sunday.

Sec. 1. The following days namely: January 1, New Year's day; the third Monday in January in conjunction with the federal holiday, Martin Luther King, Jr. day; February 12, Lincoln's birthday; the third Monday of February, Washington's birthday; the last Monday of May, Memorial or Decoration day; July 4; the first Monday in September, Labor day; the second Monday in October, Columbus day; November 11, Veterans' day; December 25, Christmas day; every Saturday from 12 noon until 12 midnight, which is designated a half holiday; and the fourth Thursday of November, Thanksgiving day, for all purposes regarding the presenting for payment or acceptance, and the protesting and giving notice of the dishonor of bills of exchange, bank checks, and promissory notes, also for the holding of courts, except as otherwise provided in this act, shall be treated and considered as the first day of the week, commonly called Sunday, and as public holidays or half holidays. Bills, checks, and notes otherwise presentable for acceptance of payment on these days shall be considered as payable and presentable for acceptance or payment on the next secular or business day following the holiday or half holiday. A law in this state shall not affect the validity of, or render void or voidable, the payment, certification, or acceptance of a check or other negotiable instrument or any other transaction by a bank in this state, because done or performed on a Saturday between 12 noon and midnight, if the payment, certification, acceptance, or other transaction would be valid if done or performed before 12 noon on that Saturday. This act does not compel a bank, savings and loan association, or building and loan association in this state, which by law or custom is entitled to close at 12 noon on a Saturday, to keep open for the transaction of business or to perform the acts or transactions described in this section, on a Saturday after that hour except at its own option in construing this section, every Saturday, unless a whole holiday, shall for the holding of court and the transaction of business authorized by the laws of this state be considered a secular or business day. If the return or adjourn day in an action, matter, or hearing before a court, officer, referee, or arbitrators, falls on any of the days mentioned in this section except Sunday, then that action, matter, or proceeding, commenced or adjourned, shall not, by reason of coming on any of those days except Sunday, abate, but shall stand continued on the next succeeding day, at the same time and place unless the next day is the first day of the week, or a holiday, in which case it shall stand continued to the day succeeding the first day of the week or holiday, at the same time and place. When the first day of the general term of a circuit court, as fixed by the order of a circuit judge, falls upon either of the days mentioned in this section or when a circuit court is adjourned to a day mentioned in this section, that court may be adjourned to the following secular day. This act shall not prevent or invalidate the entry, issuance, service, or execution of a writ, summons, or confession of judgment, or other legal process, the holding courts or the transaction of lawful business except banking on any of the Saturday afternoons designated in this act as half holidays, nor shall this act prevent a bank, savings and loan association, or building and loan association from keeping its doors open or transacting its business on Saturday afternoons, if by vote of its directors it elects to do so. The legislative body of a county or city may, by ordinance or resolution, provide for the closing of county or municipal offices for any or for all purposes on every Saturday. This act shall not affect state employees working on a Sunday in accordance with their employment as construed by the civil service commission.

History: 1865, Act 124, Eff. June 22, 1865;—Am. 1871, Act 28, Eff. July 18, 1871;—CL 1871, 1559;—Am. 1875, Act 163, Imd. Eff. Apr. 29, 1875;—Am. 1881, Act 208, Eff. Sept. 10, 1881;—How. 1591;—Am. 1893, Act 77, Eff. Aug. 28, 1893;—Am. 1893, Act 185, Eff. Aug. 28, 1893;—CL 1897, 4880;—Am. 1903, Act 254, Eff. Sept. 17, 1903;—Am. 1905, Act 35, Imd. Eff. Mar. 29, 1905;—Am. 1909, Act 246, Eff. Sept. 1, 1909;—CL 1915, 6232;—Am. 1919, Act 335, Eff. Aug. 14, 1919;—Am. 1929, Act 155, Imd. Eff. May 20, 1929;—CL 1929, 9085;—Am. 1935, Act 101, Imd. Eff. May 28, 1935;—Am. 1945, Act 97, Eff. Sept. 6, 1945;—Am. 1946, 2nd Ex. Sess., Act 2, Imd. Eff. July 15, 1946;—Am. 1948, 1st Ex. Sess., Act 33, Imd. Eff. May 10, 1948;—CL 1948, 435.101;—Am. 1955, Act 93, Eff. Oct. 14, 1955;—Am. 1969, Act 12, Eff. Jan. 1, 1971;—Am. 1973, Act 13, Imd. Eff. Apr. 18, 1973;—Am. 1974, Act 9, Imd. Eff. Feb. 5, 1974;—Am. 1977, Act 136, Imd. Eff. Nov. 7, 1977;—Am. 1984, Act 4, Imd. Eff. Feb. 1, 1984.

Compiler's note: The text "...own option in construing this section..." evidently should read "...own option. In construing this section..."